THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.4190 of 2005

04.01.2007

Between:

M.Venkatareddy

..Petitioner

And

The District Collector, Chittoor. and another.

..Respondents

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.4190 of 2005

ORDER:

The petitioner is a resident of C.Sriramapuram Village Accounts of Ramachandrapuram Mandal in Chittoor District. He filed the present Writ Petition seeking a writ of mandamus declaring the action of the respondents in trying to dispossess him from the land admeasuring Acs.0.30 cents in survey No.90/2 of C.Sriramapuram Village Accounts, Ramachandrapuram Mandal, Chittoor District, as illegal and arbitrary. Though W.V.M.P. and W.P.M.P., are listed, however, as the controversy is in narrow compass, the matter is heard and is being disposed of finally.

The petitioner claims to be landless poor person. Considering his application, the second respondent assigned land admeasuring Acs.0.30 cents and Acs.0.14 cents in survey Nos.90/2 and 90/5 under D.K.T. Patta by proceedings, dated 02.07.1988. When the third parties tried to interfere, the petitioner filed O.S.No.135 of 1995 for perpetual injunction, which was decreed. He alleges that after disposal of the suit, the respondents are trying to interfere and dispossess him high-handedly.

Along with the application for vacate stay, the Mandal Revenue Officer has filed a counter-affidavit. It is alleged that the petitioner is a wealthy pattadar having land admeasuring Acs.15.61 cents at C.Ramapuram Village. That assignment was made under mistake of fact. It is also alleged that the land is required for being used as a playground of Mandal Parishad Elementary School. The Mandal Revenue Officer further stated that action is being initiated for cancellation of D.K.T. Patta by following due process of law.

In view of the averments made in the counter-affidavit, which are not denied, this Court has no manner of doubt that the respondent will follow due process of law before evicting the petitioner from the land assigned to him.

The Writ Petition, with the above observation, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

04.01.2007

GJ